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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/807,677	03/24/2004	George Massell	2004-0051	4307	
7590 11/22/2005			EXAMINER		
Robert F. Frijouf			RIVERA, WILLIAM ARAUZ		
Frijouf, Rust &					
201 East Davis Boulevard		ART UNIT	PAPER NUMBER		
Tampa, FL 33	606		3654		

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CFR 1.38(a). In or event, however, may a reply be timely filed after SIX (8) MORTIFS from the nating date of this communication.  Failute for grey within the set or extended period for reply will, by status, cause the application to become ABANDONED (30 U.S. C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if simely filed, may reduce any seamed patter them adjustment than adjustment. Set 37 CFR 1.704(b).  Status  1) Responsive to communication(s) filed on		Application No.	Applicant(s)	
William A. Rivera   3554		10/807,677	MASSELL ET AL.	
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of tem may be available under the provisions of 3 CFR.1186(n) in or ewnth however, may reply be interely field after SEX (6) MONTHS from the making date of this communication. In or ewnth however, may a reply be interely field after SEX (6) MONTHS from the making date of this communication.  Failur to reply well with the sat or extended period for reply with by statuke, cause the application to become ABANDONED SLI S.C. § 133). Any reply received by the Office later than three months after the making date of this communication, even if timely filled, may reduce any seared parent managinary with the satisfied parent for all may reduce any seared parent managinary.  Status  1) Responsive to communication(s) filled on	Office Action Summary	Examiner	Art Unit	
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WHICHEVER IS LONGER, FROM THE MALING DATE OF THIS COMMUNICATION.  Extensions of them may be available under the provides of 37 CR 1.35(a). In an event, however, may a reply be limited the dater SIX (6) MONTHS from the mailing date of this communication.  If NO period creek jie specified above, the maximum statutory periods will apply and sill express SIX (6) MONTHS from the mailing date of this communication.  If NO period creek jie is period above, the maximum statutory periods will apply and sill express.  Any reply received by the Office lister than three months after the mailing date of this communication, even if firrely filed, may reduce any seamed patent form adjustment. See 37 CFR 1.704(b).  Status  1) ☐ Responsive to communication(s) filed on	The MAILING DATE of this communication a Period for Reply	appears on the cover sheet w	th the correspondence address	
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12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c)  None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1)  Notice of References Cited (PTO-892)  2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3)  Notice of Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5)  Notice of Informal Patent Application (PTO-152)	Priority under 35 U.S.C. § 119			
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3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)    Output			pplication No.	
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#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Vermette (U.S. Patent No. 3,614,067).

With respect to Claims 1, 4, and 10, Vermette, Figures 1-5, teaches a cable winder guide for winding cable, comprising: a cylindrical drum 14 having a cylindrical surface; a shaft 16 rotatably mounting said cylindrical drum; a drive for rotating said cylindrical drum about said shaft; a helical groove 24 defined in said cylindrical surface for retrieving and releasing the cable upon rotation of said cylindrical drum; and a cable retainer 26 resiliently engaging the cable when the cable is located within said helical groove for maintaining said cable within said helical groove.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 3, 6-9, 11-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermette as applied to claims 1, 4, and 10 above.

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With respect to Claims 2, 3, 6-9, 11-17, and 19, Vermette is advanced above. Vermette teaches all the elements of the cable winder except for the relationship between the groove and the cable diameter. However, it would have been an obvious to one of ordinary skill in the art, as determined through routine experimentation and optimization, to dimension the helical groove and the cable diameter of Vermette as specified in claims 2, 3, 6-9, 11-17, and 19 because one of ordinary skill would have been expected to have routinely experimented to determine the optimum dimensions for a particular use.

With respect to Claims 5 and 18, Vermette is advanced above. Vermette teaches all the elements of the cable winder except for the particular material used for the cable retainer. It would have been an obvious to one of ordinary skill in the art, as determined through routine experimentation and optimization, to choose a mixture of polyethylene and polypropylene for the cable retainer of Vermette as specified in claims 5 and 18 because one of ordinary skill would have been expected to have routinely experimented to determine the optimum dimensions for a particular use.

#### Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William A. Rivera whose telephone number is 571-272-6953. The examiner can normally be reached on Monday to Friday - 7:30 to 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

WILLIAM A. RIVERA PRIMARY EXAMINER

November 14, 2005